

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed July 17, 2007. Claims 1-24 were pending in the Application. In the Office Action, Claims 1-24 were rejected. In order to expedite the prosecution of the present Application, Applicant amends Claims 1, 10 and 18, and Applicant adds new Claims 25 and 26. Thus, Claims 1-26 remain pending in the Application. Applicant respectfully request reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

SECTION 102 REJECTIONS

Claims 1, 4-5, 7-11, 14-16, 18-19 and 21-23 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,973,130 issued to Wee et al. (hereinafter "Wee"). Applicant respectfully traverses the rejection.

Of the rejected Claims, Claims 1, 10 and 18 are independent. Claim 1, as amended, recites "defining a rule comprising at least one parameter that logically defines a format requirement for determining whether the MPEG-formatted file is decodable on a first type of MPEG-capable decoder but not decodable on a second type of MPEG-capable decoder" (emphasis added). Applicant respectfully submits that Wee does not disclose or even suggest at least the above-referenced limitations of Claim 1. For example, Wee recites:

As seen in FIG. 11, the beginning of a sequence in a MPEG format is typically recognized by examining the encoded bit stream and detecting twenty-three consecutive zeros, followed by a "one" and the eight bit sequence "10110101" (in base sixteen numbering, this "sequence start code" value is "0000001B5" and is designated by the reference numeral 325). Sequence header information 326 then includes various parameters such as picture size, bit rate, buffer size, video standard, and similar parameters, recognized by control codes that proceed these parameters. A user data start code 327 (twenty-three lead zeros followed by "1B2") is then utilized and followed with special codes defining any global region groups 328. For example, a specific bit pattern (e.g., a code such as twenty-two lead zeros followed by "1100") may be chosen to denote the naming of a global region group, followed by a text comment and another code for naming a second global region group, and so on. FIG. 11 indicates the creation of "j" global

region groups 328. Once all user information is complete, a GOP start code 329 can be presented.

(Wee, column 22, lines 18-37). Thus, Wee appears to merely indicate that an MPEG formatted file can be recognized by the encoded bit stream in a sequence header. However, Wee does not appear to disclose or even suggestion "defining a rule comprising at least one parameter that logically defines a format requirement for determining whether the MPEG-formatted file is decodable on a first type of MPEG-capable decoder but not decodable on a second type of MPEG-capable decoder" as recited by Claim 1 (emphasis added). Accordingly, for at least this reason, Applicant respectfully submits that Wee does not anticipate Claim 1.

Independent Claims 10 and 18 each generally recite comparing a MPEG-formatted file with a rule where the rule comprises at least one parameter that logically defines a format requirement for determining whether the MPEG-formatted file is decodable on a first type of MPEG-capable decoder but not decodable on a second type of MPEG-capable decoder. For at least the reasons discussed above in connection with independent Claim 1, Applicant respectfully submits that Claims 10 and 18 are also not anticipated by Wee.

Claims 4, 5, 7-9, 11, 14-16, 19 and 21-23 that depend respectively from independent Claims 1, 10 and 18 are also not anticipated by Wee at least because they incorporate the limitations of respective Claims 1, 10 and 18 and also add additional elements that further distinguish Wee. Therefore, Applicant respectfully submits that Claims 1, 4-5, 7-11, 14-16, 18-19 and 21-23 are not anticipated by Wee.

SECTION 103 REJECTIONS

Claims 2, 3, and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wee in view of U.S. Patent Publication No. 2002/0044760 issued to Shirakawa et al. (hereinafter "*Shirakawa*"). Claims 6, 12 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wee in view of U.S. Patent Publication No. 2001/0026511 issued to Ueda et al. (hereinafter "*Ueda*"). Claims 17 and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wee in view of U.S. Patent Publication No. 2002/0169742 issued to Nakamura et al. (hereinafter "*Nakamura*"). Applicant respectfully traverses these rejections.

Claims 2, 3, 6, 12, 13, 17, 20 and 24 depend from respective independent Claims 1, 10 and 18. As shown above, Claims 1, 10 and 18 are patentable over *Wee*. Further, none of *Shirakawa*, *Ueda* and *Nakamura* appears to remedy at least the deficiencies of *Wee* discussed above. Therefore, Applicant respectfully requests that the rejection of Claims 2, 3, 6, 12, 13, 17, 20 and 24 be withdrawn.

NEW CLAIMS


Applicant adds new Claims 25 and 26. New Claims 25 and 26 contain no new matter, and Applicant respectfully submits that new Claims 25 and 26 are patentable over the applied references. Therefore, Applicant respectfully request allowance of new Claims 25 and 26.

CONCLUSION

Applicant has/ made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

An excess claims fee of \$310.00 is believed due. The Director of Patents and Trademarks is hereby authorized to charge Deposit Account No. 08-2025 of Hewlett-Packard Company the amount of \$310.00 to satisfy the excess claims fee. If, however, Applicant has miscalculated the fee due with this Response, the Director is hereby authorized to charge any fees or credit any overpayment associated with this Response to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

By: 
James L. Baudino
Reg. No. 43,486

Date: October 15, 2007

Hewlett-Packard Company
Intellectual Property Administration
P. O. Box 272400
Fort Collins, CO 80527-2400
Tel. 970-898-7244